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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SH'KEENAN CAGE, a single person,

NO. 20-437

Plaintiff,

COMPLAINT

vs.

UNITED STATES of AMERICA,

Defendants.

PARTIES

1. Plaintiff Sh'keenán Cage is a single man who for all times relevant hereto resided in Spokane County, State of Washington.
2. Defendant is the United States of America by and through the acts and omissions of their agent/servant/employee Airman Ryan S. Worley while operating a vehicle owned by defendant.

JURISDICTION AND VENUE

3. Jurisdiction and Venue of this matter is proper in the Eastern District of

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3 Washington as plaintiff is a resident of said Spokane County and his injuries
4 resulting from the actions and/or omissions of the defendant and/or
5 defendant's agent, occurred therein.
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FACTS

4. On or about the 16th day of October, 2018, Sh'Keenan Cage was driving his
2006 Mercury Grand Marquis on a public highway in Spokane County,
Washington.
5. While operating his vehicle, Mr. Cage was driving through the city of
Spokane when he was suddenly and unexpectedly struck from the side by
Airman Ryan S. Worley of the U.S. Air Force.
6. At the time of the incident, Airman Worley was dressed in his duty uniform,
driving a van owned by the U.S. Air Force.
7. The actions and omissions of Airman Worley occurred during the course of
his employment, and his employer, the United States of America is liable for
the actions and omissions of their agent Ryan Worley under the doctrine of
respondeat superior.

CLAIM

8. The actions of Worley were performed during the course of his employment
with the defendant United States of America;

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3 9. The defendant United States of America is liable for the actions and/or
4 omissions of their agent Ryan S. Worley;

5 10. Defendants liability is the result of the following acts or omissions which
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7 breach the standard of care:

- 8 a. Failure to maintain a proper lookout;
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10 b. Failure to stay within the proper lane of travel;
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12 c. Failure to observe what was there to be seen;
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14 d. Failure to drive in a careful and proper manner;
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16 e. Failure to avoid a collision;
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18 f. Failure to follow the rules of the road;
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20 g. Failure to grant the right of way; and,
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22 h. Failure to stop and or break in time to avoid a collision.

23 11. As a direct and proximate result of these actions, Plaintiff Sh'Keenan Cage
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25 suffered injuries and damages both to his person his property.

26 COMPLIANCE WITH 28 U.S.C. §1346-2671-2680

27 12. The claim against the defendant was submitted to the proper agent/agency
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for presentment of a claim pursuant to statute.

13. Attached hereto and incorporated by reference as exhibit 1, is a true and
correct copy of the denial letter from the Department of the Air Force issued

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2 on September 2, 2020.

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4 PRAYER FOR RELIEF

5 WHEREFORE given the foregoing, plaintiff prays for the following relief;

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7 14. An award of damages for plaintiff's special damages which include medical
8 expenses, lost earnings wages and income, in an amount to be proven at the
9 time of trial, as well as an award of \$7,445.00 for property damage as a
10 result of the defendant and interest thereupon;

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12 15. An award of general damages for plaintiff's pain and suffering, permanent
13 scarring and disability, if any, and any other injuries and claims to be proven
14 at the time of trial in this matter;

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16 16. An award of attorney fees and costs as authorized by court rule and/or
17 statute;

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19 17. An award of pre-judgment interest on those claims where applicable;

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21 18. For any such further relief as justified under the law and/or rules of equity.

22 Dated this 25th day of November 2020.

23 ANDERSEN LAW OFFICE

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25 **F. Dayle Andersen /s/**
26 WSBA 22966 Attorney for SH'Keenan Cage
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EXHIBIT 1



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY**

HQ AFLOA/JACC
1500 West Perimeter Road, Suite 1700
Joint Base Andres, MD 20762

SEP - 2 2020

F. Dayle Andersen
1020 N. Washington
Spokane, WA 99201

Re: Air Force Claim No.: 19-14068

Under the provisions of the Federal Tort Claims Act (FTCA), 28 U.S.C. §1346(b), 2671-2680, I have considered your client's claim for personal injury as a result of a motor vehicle accident with a government-owned at the intersection of Division Road and Graves Road in Spokane, WA, on October 16, 2018. At this time, I must deny your client's claim.

This is the final denial of your client's claim. If he is dissatisfied with this decision, he may now file suit in an appropriate United States District Court not later than six months after the date of mailing of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey C. Phillips", is located below the "Sincerely," text.

JEFFREY C. PHILLIPS, Lt Col, USAF
Staff Attorney
General Torts Branch
Claims and Tort Litigation Division
Air Force Legal Operations Agency